

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: P. RUBIN *et al.*

Application No.: To Be Assigned

Group Art Unit: 1614

Filed: Concurrently Herewith

Examiner: R. Cook

For: METHODS FOR TREATING  
APNEA AND APNEA DISORDERS  
USING OPTICALLY PURE (+)  
NORCISAPRIDE (As amended)

Attorney Docket No.: 4821-468-999

**PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents  
**BOX PATENT APPLICATION**  
Washington, D.C. 20231

Sir:

Applicants respectfully request entry of the following amendments and remarks into the above-identified application. Applicants also submit herewith a marked up copy of the amendments to the specification (EXHIBIT A).

**IN THE TITLE**

Please replace the title with the following:

--METHODS FOR TREATING APNEA AND APNEA DISORDERS USING  
OPTICALLY PURE (+) NORCISAPRIDE--

**IN THE SPECIFICATION**

Please amend the specification as follows:

On page 1 , line 4 before “**1. FIELD OF INVENTION**,” please insert the following:

--This is a division of Application No. 09/515,390, filed February 29, 2000, which has been allowed, which is a division of Application No. 09/332,196, filed June 14,

2051208-2785902

1999, now U.S. Patent 6,048,879, which claims priority of Provisional Application Nos. 60/089,224 and 60/122,275, filed on June 15, 1998 and March 1, 1999, respectively--

**IN THE CLAIMS**

Please cancel claims 1-54 and 65-70 without prejudice.

**REMARKS**

Claims 55-64 and 71 are currently pending in this application for the Examiner's consideration and review. The title has been amended to more clearly reflect the subject matter of the invention. The specification has been amended to recite that this application is a division of Application No. 09/515,390, filed February 29, 2000, which has been allowed, which is a division of Application No. 09/332,196, filed June 14, 1999, now U.S. Patent 6,048,879, which claims priority of Provisional Application Nos. 60/089,224 and 60/122,275, filed on June 15, 1998 and March 1, 1999, respectively

Claims 1-54 and 65-70 have been canceled without prejudice to the Applicants' right to file one or more continuation, divisional, or continuation-in-part applications direct to the canceled or unclaimed subject matter. The claims are supported by the application as originally filed, and no new matter has been introduced.

Applicants respectfully request that the above made amendments and remarks be entered and be made of record in the application.

No fee is believed due for this submission. However, should any fee be due, please charge such fee to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Respectfully submitted,

Date February 15, 2002

Dean L. Fanelli

48,907

(Reg. No.)

For: Stanton T. Lawrence, III (Reg. No. 25,736)

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Enclosure

Divisional of Application No. 09/515,390; Filed: February 15, 2002  
By: P. RUBIN *et al.*; Attorney Docket No. 4821-??-999

**EXHIBIT A**

**Marked up Copy of the Specification as Amended<sup>1</sup>**

**IN THE TITLE**

Please amend the title as follows

METHODS FOR TREATING APNEA[,] AND APNEA DISORDERS[, BULIMIA AND OTHERDISORDERS] USING OPTICALLY PURE (+) NORCISAPRIDE

**IN THE SPECIFICATION**

Please amend the specification as follows:

On page 1 , line 4 before “1. **FIELD OF INVENTION**,” please add the following:

--This is a division of application no.09/515,390, filed February 29, 2000, which is a divisional of application no. 09/332,196, filed June 14, 1999, which claims priority of Provisional Application Nos. 60/089,224 and 60/122,275, filed on June 15, 1998 and March 1, 1999, respectively--

**IN THE CLAIMS**

Please cancel claims 1-54 and 65-70 without prejudice.

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<sup>1</sup> Deletions are shown in brackets and additions are shown underlined.